

ORIGINAL

FILED

September 4 2009

Supreme Court Cause No. DA 09-0506

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Alexander (Zander) Blewett III
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FILED

SEP 04 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

LON PETERSON,

Plaintiff/Appellant,

v.

NOTICE OF APPEAL

ST. PAUL FIRE AND MARINE,
INSURANCE COMPANY,

Defendant/Appellee.

NOTICE is given that Lon Peterson, the Appellant above-named and who is the Plaintiff in that cause of action filed in the Eighth Judicial District, in and for the County of Cascade, as Cause No. BDV-07-789, hereby appeals to the Supreme Court of the State of Montana from the final judgment entered in such action on the 31st day of August, 2009.

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is subject to the mediation process required by M.R.App.P. 7. If subject to mediation, the money judgment being sought is not less than \$5,000.
2. That this appeal is not an appeal from an order certified as final under M.R.Civ.P.

54(b). If this is such an appeal, a true copy of the District Court's certification order is attached hereto as Exhibit "A".

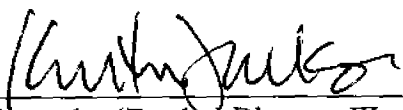
3. That the notice required by M.R.App.P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.

4. That all available transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal. If all available transcripts have not been ordered, that Appellant has complied with the provisions of M.R.App.P. 8(3) contemporaneously with the filing of notice of appeal.

5. That included herewith is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 3rd day of September, 2009.

HOYT & BLEWETT PLLC

By: 
Alexander (Zander) Blewett, III
Kurt M. Jackson
P.O. Box 2807
Great Falls, MT 59403-2807

Attorneys for Plaintiff/Appellant

CERTIFICATE OF SERVICE

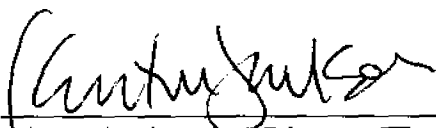
I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of District Court, each attorney of record and each party not represented by an attorney in the above-referenced District Court action, as follows:

Clerk of District Court
Montana Eighth Judicial District
Cascade County Courthouse
415 Second Avenue North
Great Falls, MT 59401

Guy W. Rogers, Esq.
Matthew I. Tourtlotte, Esq.
BROWN LAW FIRM, P.C.
315 North 24th Street
P.O. Drawer 849
Billings, MT 59103-0849

DATED this 3rd day of September, 2009.

HOYT & BLEWETT PLLC

By: 
Alexander (Zander) Blewett, III
Kurt M. Jackson
P.O. Box 2807
Great Falls, MT 59403-2807

Attorneys for Plaintiff/Appellant